Immunocept, LLC, et al v. Fulbright & Jaworski Doc. 58

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED
FEB 24 2006
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY ________

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| IMMUNOCEPT, LLC, PATRICE ANNE LEE, AND JAMES REESE MATSON, | § | |
| | § | |
| Plaintiffs, | § | |
| | § | |
| vs. | § | CAUSE NO. A 05 CA 334 SS |
| | § | |
| FULBRIGHT & JAWORSKI, LLP, | § | |
| | § | |
| Fulbright. | § | |

# APPENDIX TO PLAINTIFFS' MOTION FOR JUDGMENT CONCERNING THE LEGAL INTERPRETATION OF CERTAIN CLAIM LANGUAGE

## FILDED UNDER SEAL
## PURSUANT TO PROTECTIVE ORDER DATED OCTOBER 24, 2005

**EXHIBIT A:** Affidavit of Jeremy A. Fielding

**EXHIBIT B:** Manual of Patent Examining Procedure at § 2111.03 (Rev. 4 Oct. 2005)

**EXHIBIT C:** Chisum On Patents (Release 82 March 2002) at 8.06[1][b][ii][A] and [B]

**EXHIBIT D:** Landis on Mechanics of Patent Claim Drafting, Third Edition, §8, Bates numbered MCP0037

**EXHIBIT E:** Response to Final Office Action, dated June 17, 1996

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Respectfully submitted,

Michael P. Lynn, P.C.
State Bar No. 12738500
Jeffrey M. Tillotson, P.C.
State Bar No. 20039200
John Volney
State Bar No. 24003118
Jeremy A. Fielding
State Bar No. 24040895
**LYNN TILLOTSON & PINKER, LLP**
750 N. St. Paul Street, Suite 1400
Dallas, Texas 75201
(214) 981-3800 Telephone
(214) 981-3839 Facsimile

**ATTORNEYS FOR PLAINTIFFS**
**IMMUNOCEPT, LLC**
**PATRICE ANN LEE**
**JAMES REESE MATSON**

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served as shown below on this the 21st day of February, 2006:

***Via Cert. Mail, RRR***
David J. Beck, Esq.
Geoff Gannaway, Esq.
BECK, REDDEN & SECREST, L.L.P.
One Houston Center
1221 McKinney Street, Suite 4500
Houston, Texas 77010
(713) 951-3700 Telephone
(713) 951-3720 Facsimile
*Attorneys for Fulbright & Jaworski, LLP*

Jeremy A. Fielding

# UNITED STATES DISTRICT COURT
# WESTERN DISTRICT OF TEXAS
# AUSTIN DIVISION

## Notice of Document/Attachment(s) Not Imaged but Stored with Document in Case File

## See Original File to View/Copy Document/Attachment(s)

Civil Case No. A:05-CA-334 SS

Immunocept, LLC et al.

VS.

Fulbright & Jaworski LLP

Attachments to Document #: 58

Description: Appendix to Plaintiffs" Motion for Judgment Concerning the Legal Interpretation of Certain Claim Language

File Date: February 24, 2006

Prepared by: dm

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